

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

UNITED STATES OF AMERICA :  
:  
vs. : CRIMINAL ACTION 07-00184-CG  
:  
RONALD BENJAMIN SMITH :  
:  
Defendant. :  
:

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that the plaintiff's motion for permission to appeal in forma pauperis is hereby **DENIED** because the appeal is frivolous and not taken in good faith.

**DONE and ORDERED** this 18th day of May, 2011.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE